

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

IN RE:

3:24MC015-DMB-RP

CIVIL INVESTIGATIVE DEMAND NO. 2024-034

**PETITION OF THE UNITED STATES FOR
SUMMARY ENFORCEMENT OF CIVIL INVESTIGATIVE DEMAND**

Pursuant to the False Claims Act (FCA), 31 U.S.C. § 3733(j), the United States respectfully petitions this Court for an Order enforcing Civil Investigative Demand (CID) 2024-034, and compelling the recipient of that demand, Lashonda Kimble, to submit to an oral examination. As set forth below, Kimble failed to appear for her oral testimony pursuant to CID 2024-034. See Exhibit A. Kimble did not petition to modify or set aside CID 2024-034 or otherwise interpose any valid objection recognized by law. In support of this petition, the United States respectfully refers this Court to the accompanying Memorandum, and the proposed order.

JURISDICTION AND VENUE

1. This Court has jurisdiction over this proceeding under 31 U.S.C. § 3733(j) and 28 U.S.C. § 1331.

2. Venue is proper under 31 U.S.C. § 3733(j). Respondent is a resident of Yalobusha County, Mississippi.

PARTIES

3. Petitioner, United States Department of Justice ("the Department"), is an executive agency of the United States responsible for enforcing the provisions of 31 U.S.C. §§ 3729-3733.

4. Respondent has been served with CID No. 2024-034 requiring that she

give oral testimony in connection with a false claims law investigation being conducted by the Department of Justice, an executive agency of the United States responsible for enforcing the provisions of 31 U.S.C. §§ 3729-3733.

ISSUANCE AND SERVICE OF CID 2024-085

5. On April 18, 2024, CID 2024-034 was issued to Kimble pursuant to the FCA by Clay Joyner, United States Attorney for the Northern District of Mississippi, who is a designee of the Attorney General under 31 U.S.C. § 3733(a)(1). *See* 28 C.F.R. Part 0, Subpt. Y App.

6. On April 30, 2024, the United States served CID 2024-034 on Kimble at 7296 Tatum Pond Road, in Tillatoba, Mississippi. *See* Exhibit B.

7. CID 2024-034 seeks from Kimble oral testimony concerning the PPP loan or loans Kimble received.

8. As stated in CID 2024-034, the United States is seeking such information and documents from Kimble, in the course of an FCA investigation regarding Kimble and/or others, with the primary area of inquiry being “information related to your business, use of the PPP loan proceeds, the manner in which she applied for a PPP loan or loans, and other topics that may arise during her oral testimony.”

9. As part of this investigation, the United States issued CID 2024-034 to Kimble because the United States has reason to believe that Kimble is in possession of information relevant to this investigation as a PPP loan recipient.

10. The information sought by CID 2024-034 is reasonably relevant to the United States’ investigation under the FCA inquiry, and CID 2024-034 is not indefinite nor unduly burdensome.

**RESPONDENT HAS FAILED TO FILE A PETITION TO MODIFY
OR SET ASIDE THE CID**

11. CID 2024-034 directed Kimble to provide testimony on June 6, 2024, at 10:00 A.M.
12. Under the FCA, 31 U.S.C. § 3733(j)(2)(A)(i), the deadline for Kimble to petition to modify or set aside CID 2024-034 was no later than the date of her oral examination.
13. To date, Kimble has not petitioned to modify or set aside CID 2024-034.
14. Summary enforcement of CID 2024-034, accordingly, is appropriate.

WHEREFORE, the United States respectfully requests as follows:

1. That this Court enter an Order to Show Cause directing Lashonda Kimble to show cause as to why she should not be compelled to comply with CID 2024-034; and
2. That this Court enter an Order directing Kimble to comply with CID 2024-034 on or before the deadlines proposed by the United States or such other deadlines set by the Court.

This the 9th day of August, 2024.

United States of America
Clay Joyner
United States Attorney

By: /s/ John E. Gough, Jr.
John E. Gough, Jr.
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CERTIFICATE OF SERVICE

I certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I have sent notification of such filing via United States Mail on this the 9th day of August, 2024 to:

Lashonda Kimble
7296 Tatum Pond Road
Tillatoba, MS 38961

/s/ John E. Gough, Jr.

Assistant United States Attorney